OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Public Comments On Behalf of
Azovstal Iron and Steel Works,
Ilyich Iron and Steel Works
and ISTIL (Ukraine) Ltd.

On Potential Action
Under Section 203 of the Trade Act of 1974
With Regard to Imports of Certain Steel:

Evaluation of Options for Action Under Section 203

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TABLE OF CONTENTS

EXECUTIVE SUMMARY

The determination of what Presidential action, if any, should be undertaken pursuant to

Section 203 cannot be made in isolation. President Bush has determined that Section 203 relief alone would be insufficient to address the problems of the U.S. steel industry. Any action by the President under Section 203 must be undertaken as part of the President's broader multilateral initiative to address global steel problems, particularly overcapacity ,and unavoidably will influence this broader initiative's outcome. This does not mean the President should refrain from taking appropriate and feasible action authorized under the Statute to promote the ongoing multilateral talks. Strict adherence to the requirements of the Statute will promote both the industry's restructuring and ultimately the restructuring of the global steel industry.

Should the President decide to implement some form of import relief, the Statute requires that the President not adopt the recommendation of the Commission in this investigation to impose additional tariffs on these products. The domestic industry's own analyses the costs of tariff exceeds their benefits. The unilateral imposition of additional tariffs also will undermine the President's efforts to address the steel problem multilaterally.

In the case of slabs even quota relief is inappropriate. Any import relief should be in the form of tariff rate quotas at a level sufficient to accommodate the needs of domestic producers dependent on imported slabs for part or all of their finished steel product production and to allow domestic producers the opportunity to use imported slabs as part of their restructuring.

In the case of plate, domestic producers concede that standing alone imports of plate have not caused or threaten serious injury. A Presidential determination to impose import relief in the form of quotas or tariffs is particularly inappropriate because AD/CVD orders and suspension agreements on 21 countries have resulted in precipitous decline in imports from these countries, effectively remedying any past injury to the domestic industry and preventing any future injury from imports of CTL plate. No additional import relief is needed for this product.

Should the President implement import relief on plate generally, it should not implement additional new import relief on CTL plate from Ukraine. Under the U.S.-Ukraine CTL plate suspension agreement, imports from Ukraine already are under quotas and under minimum price levels corresponding to increased duties that might be imposed to address serious injury or thereat thereof to the domestic industry. Should the President impose import relief on plate, it should be in the form of individual country quotas, and the quota applicable to Ukraine should be that currently in effect under the Suspension Agreement.

In the case of CF bars, industry's serious injury is overwhelmingly that of Republic Technologies, Inc. ("RTI"), the industry's largest producer of CF bar currently in Chapter 11. Given RTI's disproportionately weak economic performance and tenuous economic condition, positive adjustment to import competition may require RTI and its workers experience an orderly transfer of resources to other productive pursuits. This is consistent with Section 201(b)(1) of the Act. Should the President nevertheless determine that import relief is appropriate, such relief should not include additional tariffs on CF bars. The average unit price of CF bar imports significantly exceeded the domestic price of CF bars throughout the period of investigation. Additional tariffs will not address the industry's acute problem of overcapacity because imports are minuscule in relation to the industry's unused capacity. Additional tariffs will be prohibitive at the outset for many end users, while quotas provide an opportunity for them to acquire necessary raw materials. Should the President determine import relief is appropriate, it should be in the form of quotas for three years at an overall annual level of 274,541 tons in the first year, increased by 5 percent in year two and an additional 5 percent in year three.

Also, any action taken by the President should not include import relief on CF bars with a diameter of 6.5 inches or greater. Only one U.S. company has capacity to produce large diameter bars, and in the absence of imports, there would be a significant shortage of large bar diameter bar in the United States.

These comments are submitted pursuant to the Federal Register Notice of October 26, 2001 (66 FR 54321-54324) on behalf of Azovstal Iron & Steel Works ("Azovstal"), Ilyich Iron & Steel Works ("Ilyich"), and ISTIL (Ukraine), Ltd ("ISTIL") on what action the President should take under section 203 of the Trade Act of 1974, as amended, (19 U.S.C. 2253) ("the Statute" or "the Act") to facilitate efforts by the domestic industries producing certain steel products to make a positive adjustment to import competition and provide greater economic and social benefits than costs. Azovstal, Ilyich and ISTIL are Ukrainian producers and exporters of carbon and alloy steel slabs("slabs"), carbon and alloy steel cut-to-length plate ("plate" or "CTL plate"), and carbon and alloy steel cold finished bars ("CF bars"), products of great importance in Ukraine's steel trade to the United States.

The determination of what Presidential action, if any, should be undertaken pursuant to Section 203 cannot be made in isolation. In announcing his Multilateral Steel Initiative earlier this year, President Bush determined Section 203 relief alone would be insufficient to address the problems of the U.S. steel industry and the steel industry worldwide, and the United States must work cooperatively with its trading partners to address these problems, particularly the problem of global overcapacity. Any action by the President under Section 203 must be undertaken as part of this broader initiative and unavoidably will influence this broader initiative's outcome.

Although the U.S. steel industry has vehemently opposed any linkage between Presidential action under Section 203 and President Bush's broader Multilateral Steel Initiative, the Statute explicitly states that in determining what action to take under Section 203, the President should take into account "whether international negotiations may be constructive to address the injury or threat thereof or to facilitate adjustment."[1] Therefore, it is appropriate, and even necessary, that Presidential action under Section 203 be crafted to complement and

[1] Section 203(a)(2)(J) and Section 202(e)(v) of the Act.

promote the ongoing multilateral capacity reduction talks.

This is not to suggest that the President refrain from taking appropriate and feasible action authorized under the Statute to promote the ongoing multilateral talks. On the contrary, strict adherence to the requirements of the Statute--in particular to the statutory requirement of Section 203(a)(1) that the action taken provide greater economic and social benefits than costs and the requirement of 203(e)(2) that Presidential action be taken "only to the extent the cumulative impact of such action does not exceed the amount necessary to prevent or remedy the serious injury"-- will promote both the industry's restructuring and ultimately the restructuring of the global steel industry as envisioned by the President.

The record compiled by the Commission in this investigation strongly suggests that in the case of slabs, CTL plate, and CF bars, import relief in the form of tariffs or quotas will result in greater social and economic costs than benefits, will exceed the amount necessary to prevent or remedy the serious injury, or both. As such, the President should determine that no import relief is appropriate on these products. Nevertheless, to the extent the President decides to implement some form of import relief on finished steel products including plate and CF bars, the Statute requires that the President <u>not</u> adopt the recommendation of the Commission in this investigation

to impose additional tariffs on these products.

Given the varied products within each steel product group, the social and economic costs of additional tariffs will far exceed their benefits. In fact, the domestic industry's own analyses set forth in their remedy briefs-- which the Commission ignored in its remedy recommendations-

- show this to be the case.[2] Both as a matter of law and as a matter of sound economic policy, the issue of relative costs and benefits cannot be ignored and must be central to the President's determination of the appropriate action he should take under Section 203.

Equally important, the unilateral imposition of additional tariffs will undermine the President's efforts to address the steel problem multilaterally. In contrast, Presidential action in the form of quotas offers protection against import surges that otherwise might hinder industry adjustment to import competition and provides the flexibility needed to promote international negotiations , as envisioned by the President in his Multilateral Steel Initiative. As explained by Vice-Chairman Okun in recommending that Presidential action be in the form of quotas:

> Based on the record presented, I find that elimination of worldwide inefficient or excess capacity to produce steel is the most important long-term solution to the injury experienced by the domestic steel industries. Cognizant of this solution, the President has initiated multilateral negotiations, as contemplated by the 201 statute, to address this problem both at home and abroad. I have selected a trade remedy for each of the domestic steel producing industries that in my view will stabilize the market in the short term and encourage parties to conclude an international agreement.

Finally, in the case of slabs, the unique nature of the product makes even quota relief inappropriate. To the extent the President implements import relief on slabs, such relief should be in the form of tariff rate quotas at a level sufficient to accommodate the needs of domestic producers dependent on imported slabs for part or all of their finished steel product production and to allow domestic producers the opportunity to use imported slabs in their restructuring.

[2] Prehearing Remedy Brief of United Steel Workers of America, October 29, 2001, Exhibit 5; Remedy Prehearing Brief of the Minimill Coalition (Long Products) and the Cold Finished Trade Coalition and their individual members, October 29, 2001, Exhibit 2.

CARBON AND ALLOY STEEL SLABS

Slabs are unique among flat products in that they serve no function other than as an input for finished steel products and are purchased exclusively in the U.S. market by the domestic steel producers themselves for rolling into the finished flat products . As a result, slabs are the only flat product where domestic producers were divided in this investigation on the threshold question of whether imports are a substantial cause of serious injury or threat thereof to the domestic industry.

Properly viewed as a separate and distinct steel product critical to the manufacturing of a significant segment of the domestic steel industry itself, no form of import relief on slabs facilitates industry adjustment and provides greater economic and social benefits than costs.. On the contrary, to the extent import relief on slabs limits their availability or increases their cost, such relief would inhibit the efforts of the domestic industry to make a positive adjustment to import competition.

Given this reality, at best the imposition of import relief on slabs would merely transfer domestic finished flat products production from one domestic producer to another, effectively choosing winners and losers <u>within</u> the domestic industry. Also, rather than facilitating a positive adjustment to import competition, the imposition of import relief would make existing domestic steel producers that rely on imported slabs for some or all of their finished steel product production less competitive and undermine the adjustment process of domestic steel producers

that seek to adjust to import competition by rationalizing their input sources. Section 201 clearly was not intended for this purpose.

For this reason, the Commissioners that understood the critical distinction between slabs and finished flat steel recommended the President impose a tariff rate quota ("TRQ") on slab imports in excess of 7 million short tons in the first year; a TRQ on imports in excess of 7.5 million short tons in the second year, and a TRQ on imports in excess 8 million short tons in the third year.

The recommended first year level TRQ of 7 million tons approaches the level of imports in 2000-- 7,259,814 short tons– but does not reflect normal demand for slabs when the economy rebounds from its current weakness: During the first half of 2000, imports of slabs totaled just over 4million tons-- 8 million tons on an annualized basis. Nor does the recommended TRQ level provide for additional use by companies within the domestic industry that need imported slabs as part of their restructuring. Therefore should the President determine import relief is appropriate, we urge that he implement a tariff rate quota at the level of 10 million tons in the first year, a level sufficient to accommodate the demand of those domestic producers that already

rely on imported slabs for part or all of their finished steel production and to accommodate the needs of other companies that need imported slab as part of their business restructuring.

Finally, should the President determine that individual country tariff rate quotas are appropriate, the individual country tariff rate quota levels also should reflect patterns of trade in the first two quarters of 2000, the period immediately preceding the U.S. economic decline and resulting reduced demand for steel. In the case of Ukraine, U.S. imports during the first two quarters of 2000 totaled 393,000 tons, just under 10 percent of total imports during the period. Any individual TRQ on Ukraine should reflect this trade.

CARBON AND ALLOY STEEL CUT-TO-LENGTH PLATE

As with slabs, no form of import relief on plate would be effective in facilitating the efforts of the domestic industry to make a positive adjustment to import competition and provide greater economic and social benefits than costs. On the contrary a compelling case against imposing import relief on plate exists in this investigation.

The factual record in this investigation with respect to CTL plate is clear. Between 1996 and 2000, U.S. imports of CTL plate declined by over 50 percent. Over the same period, domestic production of CTL plate increased by 7.1 percent and the domestic market share for CTL plate increased from 75.2 percent to 86.9 percent. These trends continued into 2001, as imports in the first half of 2001 declined further and the domestic market share increased to 89.2 percent.[3]

During the ITC Injury Hearing, counsel for the domestic producers conceded that, standing alone, "our position would definitely be that you should make an affirmative determination with respect to each of the individual products lines, with the exception of plate."[4] (Emphasis added). If as counsel to the domestic producers concedes, imports of CTL plate are not a substantial cause of serious injury or threat thereof to domestic producers of CTL plate,

[3] Steel Prehearing Report, Investigation No. TA-201-73, September 2001 ('Prehearing Report") Appendix C, Table Flat C-3.

[4] Hearing Transcript, September 19, 2001 at p.823,

these imports cannot be a substantial cause of serous injury to domestic producers of other flat products. The record developed by the Commission in its investigation shows no commercial interchangeability between plate and other steel products. None of the five most important end uses for plate–bridges, joists/girders, foundation anchors, machine parts and sign/electric structures are among the five most important end uses of any other flat steel product.[5]

In fact, domestic producers during the ITC injury phase of the investigation did not argue that imports of plate are a substantial cause of serious injury or threat thereof to any domestic industry, arguing instead that all flat steel products are a substantial cause of serious injury to the domestic flat steel industry as a whole, a position adopted by the Commission in its injury determination. Yet whatever that effect of all imported flat steel products on the domestic flat steel products industry as a whole, import relief on plate–a product that is not a substantial cause of serious injury, or threat thereof, to any portion of the domestic flat steel products industry–is inappropriate, and is contrary to paragraph (2) of Section 203(e) of the 201 statute which requires that the President take action "only to the extent the cumulative impact of such action not exceed the amount necessary to prevent or remedy the serious injury."

A Presidential determination to impose import relief in the form of quotas or tariffs is particularly inappropriate because AD/CVD orders and suspension agreements on CTL plate imports from 21 countries have resulted in a precipitous decline in imports from these countries, effectively remedying any past injury to the domestic industry and preventing any future injury from imports of CTL plate. These AD/CVD orders and suspension agreements on major CTL plate supplying countries make it impossible to source major volumes of CTL plate from

[5] Joint Respondents' Prehearing Framework Brief, September 10, 2001 pp 22-23.

countries not already subject to AD/CVD restrictions.

This is clear from the trend of CTL plate imports during the period of this investigation: Plate imports in 2000 were less than one-half the level of imports in 1996, when AD investigations first were initiated on major CTL plate suppliers, and less than one-half the level of imports in 1998, when the most recent AD/CVD investigations were initiated. The absence of any significant new supplying country emerging in almost three years since the most recent orders went into effect clearly demonstrates the existing AD/CVD remedies effectively address

the serious injury, or threat thereof, to the domestic industry, and no additional import relief is needed for this product.

Additional Import Relief on CTL Plate from Ukraine is Unnecessary

Should the President nevertheless implement import relief on plate generally, it should not implement additional new import relief on CTL plate from Ukraine due to the nature of relief currently in effect on imports of these products from Ukraine under the Suspension Agreement entered into between the United States and Ukraine ("Suspension Agreement").

In normal AD/CVD investigations, the remedy imposed is intended to offset less than fair

value pricing or subsidies conferred on subject imports. Section 701(a) of the Act requires that when the Commission determines a domestic industry is materially injured or threatened with material injury by reason of subsidized imports, the Commerce Department is to impose, "a countervailing duty, in addition to any other duty imposed, equal to the amount of the net countervailable subsidy." Under Section 731 of the Act, when the Commission determines an industry in the United States is being materially injured or threatened with material injury by reason of dumped imports, the Commerce Department is to impose "an antidumping duty, in addition to any other duties imposed, in an amount equal to the amount by which the normal value exceeds the export price (or constructed export price) for the merchandise."

While these provisions apply to nonmarket economy countries such as Ukraine as well as to market economy countries, under Section 731(l) of the Act a special rule exists for nonmarket economy countries under which the Commerce Department may suspend an antidumping

investigation upon the negotiation of an agreement with a nonmarket economy country to restrict the volume of imports into the United States of the merchandise under investigation, if the Commerce Department determines such an agreement is in the public interest and will "prevent the suppression or undercutting of price levels of domestic products by imports of the merchandise under investigation." In practice, these suspension agreements not only restrict the volume of imports; they also establish minimum reference prices to be used as a floor price for sale of subject merchandise from the nonmarket economy country into the United States.

Thus, both the intent of the nonmarket suspension agreements and their practical effect are distinct from normal Title VII relief which focuses on offsetting subsidies or dumping, but not on avoiding injury. In contrast, the combination of quotas and minimum floor prices is intended to eliminate injury by directly preventing price suppression or undercutting.

In the case of imports for CTL plate from Ukraine, the negotiation of a suspension agreement in October of 1997 has prevented price suppression or undercutting of domestic products, effectively insuring that imports of CTL plate from Ukraine cannot cause or threaten injury to domestic producers. As a practical matter, the suspension agreement reduced imports of CTL plate from Ukraine by 95 percent between 1996 and 2000 by limiting the price at which these imports can be sold and their commercial competitiveness. Minimum reference prices will limit imports and prevent any serious injury in the future as well.

This combination of quantitative restrictions and floor prices also mirrors any import relief the Commission might recommend on imports of CTL plate generally. Simply put, imports from Ukraine already are under quotas, and already are under minimum price levels

corresponding to increased duties which might be imposed to address serious injury or thereat thereof to the domestic industry.

Thus, were the President to determine that import relief on CTL plate is appropriate, additional import relief on imports of CTL plate from Ukraine would exceed that necessary to avoid the serious injury and have no effect on domestic industry adjustment. Therefore, should the President impose import relief, it should be in the form of individual country quotas, and the quota applicable to Ukraine should be that currently in effect under the Suspension Agreement.

CARBON AND ALLOY STEEL COLD FINISHED BARS

In the case of CF bars, the confidential record compiled by the ITC in this investigation in key economic indicators such as profitability, as well as the trend in the volume of shipments, show a striking disparity in the economic performance and condition of Republic Technologies, Inc. ("RTI"), the industry's largest producer of CF bar currently in Chapter 11, and the rest of the industry. Absent RTI, the industry's profitability and volume of shipments were positive during the period of investigation until the second half of 2000 when weakness in the U.S. manufacturing sector affected the industry. In effect, the CF bar industry's serious injury is overwhelmingly that of RTI.

Unlike a situation where import competition evenly affects the members of an industry, this disparity of performance within the industry makes diffuse import relief ineffective. Rather, given RTI's disproportionately weak economic performance and tenuous economic condition, the difficult reality is that positive adjustment to import competition may require RTI and its

workers experience an orderly transfer of resources to other productive pursuits. This is consistent with Section 201(b)(1) of the Act which states:

> (1) For purposes of this chapter, a positive adjustment to import competition occurs when–
> (A) the domestic industry–
> (i) is able to compete successfully with imports after the actions taken under Section 204 terminate, **or**
> **(ii) the domestic industry experiences an orderly transfer of resources to other productive pursuits, and**
> **(B) dislocated workers in the industry experience an orderly transition to productive pursuits**. (Emphasis added).

Similarly, the Statute contemplates positive adjustment to import competition can occur even when one or more individual producers exit an industry. As set forth in Section 201(b)(2) of the Act:

> (2) The domestic industry may be considered to have made a positive adjustment to import competition **even though the industry is not the same size and composition** as the industry at the time the investigation was initiated under Section 202(b). (Emphasis added)

Within this framework, import relief in the form of tariffs and quotas would actually hinder adjustment to import competition by artificially cushioning RTI from market forces to the detriment of the industry as a whole.

Should the President nevertheless determine that import relief is appropriate, such relief should not include any additional tariffs on CF bars. Contrary to the assertions of the domestic CF bar producers, the record complied by the ITC in its investigation shows that the industry did not suffer from price underselling by CF bar imports. Rather, the average unit price of CF bar imports significantly exceeded the domestic price of CF bars throughout the period of investigation:

Imported And Domestic CF Bar
Price Comparison ($)

	Domestic CF Bar Prices	Average Unit Value Of Imported CF Bars
1996	755	893
1997	722	882
1998	723	880
1999	675	813
2000	684	772
Jan-Jun 2001	679	785

Nor will additional tariffs address the acute problem of overcapacity that has plagued the CF Bar industry for many years:

U.S. CF Bar Industry
Capacity Utilization (%)

1996	1997	1998	1999	2000	Jan-Jun 2001
41.9	45.8	43.7	48.6	45.0	40.2

Domestic CF bar producers themselves in their testimony during the ITC Remedy

Hearing recognized this overcapacity is the industry's primary problem and that reducing overcapacity is needed to address the industry's serious injury.[6] However, additional tariffs

cannot address the CF bar industry's overcapacity problem because imports are minuscule in relation to the industry's unused capacity:

	Unused Domestic CF Bar Capacity (tons)	**Total CF Bar Imports (Tons)**
1996	1,626,531	206,272
1997	1,630,758	238,221
1998	1,803,115	272,972
1999	1,468,245	235,693
2000	1,627,982	314,958
2001*	1,685,092	269,942[7]

(*Extrapolated)

Even a prohibitive tariff embargoing imports would have relatively little effect on the industry's overcapacity problem, given its magnitude. Additional tariffs are likely to be have the opposite effect, as the industry's adjustment plans premised on additional tariffs focus on new capacity.

Additional tariffs also will have an uneven and uncertain effect on end-users. The CF bar industry is characterized by a wide range of processes, products, and end uses. According to the

6 **John Ruth, North Star Steel:** ".... The capacity versus the current operating rates; there is a significant gap. We can't begin to raise prices until we are operating essentially at capacity. We need to recapture that imported market share to get our facilities running." Hearing Transcript at 567.

7 Staff Report, Appendix C, Table Long C-4.

Cold Finished Steel Bar Institute (CFSBI):

> COLD FINISHED STEEL is available in a universe of sizes, shapes, conditions and grades, and is used in every major industry. These precision-engineered
>
> products are to be found in transportation, agriculture, construction, appliances, office equipment, machine tools, aerospace, defense, medicine, off-highway, industrial machinery, pressure piping components, hydraulic cylinders, sporting equipment and in the home.[8]

In effect, CF bar is the antithesis of a fungible product such as wheat gluten where a tariff would have an equal effect across the industry and the tariff remedy recommended by the Commission in the Wheat Gluten investigation is totally unsuited for this industry. As end users in different industries detailed in testimony during the ITC Remedy Hearings, additional tariffs in many instances will make the imported CF bars they require prohibitive, effectively driving their further manufactured products from the market. Given the extremely varied nature of CF bar and its wide applications across various industries, tariffs on CF bar inevitably will be highly, and unpredictably, disruptive to numerous end users in these industries. In contrast, quotas provide an opportunity for them to acquire necessary raw materials.

Related to the uneven impact of additional tariff relief, the social and economic costs of additional tariff relief are likely to far exceed their benefits. As detailed in Exhibit 2 to the domestic producers' prehearing remedy brief before the ITC,[9] the consumer costs of an additional 50 percent tariff on CF bar exceed producer benefits in the range of 50 percent to 200 percent in all eight scenarios analyzed by the industry. Although additional tariffs at lower levels might have lower social and economic costs, the benefits are likely to be lower as well and

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[8] http://www.cfsbi.com

[9] Remedy Prehearing Brief of the Minimill Coalition (Long Products) and the Cold Finished Trade Coalition and their individual members, October 29, 2001, Exhibit 2, Remedy Model Results for Cold Finished Bar.

there is nothing to suggest that the benefits of additional tariffs at any level will exceed their costs.

Under the circumstances, the President is precluded pursuant to Sec. 203(a)(1)(A) of the Statute from implementing additional tariffs.

Therefore, should the President determine import relief is appropriate, such relief should be in the form of quotas for three years at an overall annual level of 274,541 tons in the first year, a level representative of the most recent three years preceding the Section 201 steel investigation, and that this level be increased by 5 percent in year two and an additional 5 percent in year three.

No Import Relief Should be Implemented for Large Diameter Bars

Finally, any action taken by the President should not include import relief on CF bars with a diameter of 6.5 inches or greater. As detailed in the exclusion request previously submitted on behalf of ISTIL, there exist two distinct industry segments for bars: Bars under 6.5 inches in diameter ("small diameter bars") and bars 6.5 inches in diameter or greater ("large diameter bars"). This distinction is market driven, as large diameter bars have different end uses than small diameter bars. Less demand exists for large diameter bars, and both in the United States and globally, manufacturing is focused on small diameter bars.

The distinction between large and small diameter bars also is technology driven. Large diameter bars require equipment to bottom pour ingots. In contrast, small diameter bars are most efficiently produced through continuous casting. Also, specialized rolling equipment is required for large diameter bar production.

Because of these manufacturing efficiencies, all U.S. bar producers use continuous casting to produce bars, and only one company, Timken, has bottom pour ingot capacity to produce large diameter bars.[10] Timken's capacity to produce these bars is limited, and in the absence of imports, there would be a significant shortage of large bar diameter bar in the United States.

These same conditions affect the CF bar industry because hot rolled bars are the input for CF Bars. Production of large diameter CF bars in the United States is limited and insufficient to meet market demand. For these reasons, the Commission should not recommend import relief on large diameter CF bars even if it recommends import relief on other CF bars.

Respectfully Submitted,

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On behalf of Azovstal, Ilyich and ISTIL

[10]In the past other U.S. producers had bottom ingot pour capacity, but RTI has moved exclusively into continuous casting and closed its large rolling mill and CSC has ceased operations due to technical problems, ill-advised expansion, finance problems in and the limited nature of its large diameter bar capacity. Confidential Exhibit A to prehearing injury brief of The Ad Hoc Coalition for Fair International Steel Trade.